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GREAT FALLS, MONT.

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PATRICK E. DUFFY, CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

BY _____
DEPUTY CLERK

ANTHONY D. ROBERTY,

Petitioner,

vs.

STATE OF MONTANA;
ATTORNEY GENERAL OF THE
STATE OF MONTANA,

Respondents.

No. CV-11-56-BU-SEH

ORDER

United States Magistrate Judge Keith Strong entered Findings and Recommendations¹ On December 21, 2011. Petitioner filed Objections² on January 4, 2012. The Court reviews *de novo* findings and recommendation to which objections are made. 28 U.S.C. § 636(b)(1).

¹ Document No. 5.

²Document No. 6. Petitioner also attached Citation of Authorities to Objections.

Upon *de novo* review of the record, and full consideration of the objections, I find no error in Judge Strong's Findings and Recommendations and adopt them in full.

ORDERED:

1. The Petition³ is DISMISSED for failure to state a claim.
2. A certificate of appealability is DENIED.
3. The Clerk of Court is directed to close this matter and enter judgment in favor of Respondents and against Petitioner.

DATED this 5th day of January, 2012.



SAM E. HADDON
United States District Judge

³Document No. 1.